

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON APPLICATION FOR APPROVAL
OF THE REDEVELOPMENT PROJECT LOCATED OFF
WALLINGFORD ROAD IN BRIGHTON BY THE JEWISH
COMMUNITY HOUSING FOR THE ELDERLY II, INC.

A. The Hearing. A public hearing was held at 2:30 P.M. on February 24, 1972, in the offices of the Boston Redevelopment Authority (hereinafter called "the Authority") at the New City Hall, Room 921, Boston, Massachusetts, by the Authority on an Application (hereinafter called "the Application") filed by The Jewish Community Housing for the Elderly II, Inc. (hereinafter called "the Applicant") for authorization and approval of a redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended (hereinafter called "the Project"), due notice of said hearing having been given previously by publication on February 9 and July 16, 1972, in the Boston Herald Traveler, a daily newspaper of general circulation published in Boston, and mailing postage prepaid, in accordance with Rule 8 of the Rules and Regulations of the Authority for securing the approval of Chapter 121A Projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. Patrick Bocanfuso, Chairman of the Authority, and James G. Colbert, Robert Farrell, Joseph Walsh and Paul Burns, members of the Authority, were present throughout the hearing.

B. The Project. This project consists of the construction, operation and maintenance by the 121A Corporation of approximately 256 apartment units and appurtenant facilities on a parcel of land located off Wallingford Road in Brighton in the City of Boston containing approximately 209,179 square feet described on a plan entitled "Topographic Plan of Land, Boston (Brighton) Mass., (Suffolk County)," dated September 14, 1971, and prepared by Harry R. Feldman, Inc., Land Surveyors, Boston, Mass., a copy of said plan being filled with the Application as an Exhibit. The premises on which the Project is to be located is hereinafter referred to as "the Project Area". The land is presently owned by the Applicant. Title to the Project Area was acquired by the Applicant by Deed from the City of Boston on January 16, 1970, for the purpose of building thereon dwelling units for elderly persons. This project is to be financed pursuant to Section 236 of the National Housing Act.

The following structures and facilities are proposed to be constructed on the Project Area:

1. A building varying in height from three to five stories and consisting of five attached wings positioned so as to create two landscaped courts. This building, considered to be Phase II of this entire development, comprises dwelling units for 256 elderly persons or families. Phase I, which was approved by the Boston

Redevelopment Authority October 31, 1968, and built by Jewish Community Housing for the Elderly, Inc., consists of 243 units constructed on flat slab concrete frame, ten stories in height.

2. Complete kitchen facilities in all apartments, a social and recreational facility, landscaped interior court yards, a meeting room, and laundry facilities.

3. On-site parking to accommodate 38 automobiles.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all documents, plans and exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the exhibits offered in evidence at the hearing and the arguments and statements made at the hearing. The members of the Authority have also viewed the Project Area.

The Project as defined in the Application constitutes a "Project" within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the construction, operation and maintenance of decent, safe and sanitary residential buildings and appurtenant facilities.

D. The Project Area. The existing conditions warrant a finding that the Project Area is a "blighted open area" within the meaning of Section 1 of Chapter 121A. In particular, the Authority finds that it is an area that is unduly costly to develop soundly through the ordinary operations of private enterprise because the project site contains very considerable quantities of ledge. Sound

development of the Project Area and the topographical conditions of the land itself dictate construction on only a small percentage of the Project Area, and the preservation and landscaping of substantial open areas.

The conditions which cause the blight are not being remedied by the ordinary operations of private or public enterprise. The topographical conditions of the site present such serious development difficulties that the Parks and Recreation Department of the City of Boston which had the custody of the site for more than a decade was not able by reasonable expenditure to use the site as a recreational facility. No other residential proposals have been undertaken because their prosecution and completion under the conditions in the Project Area have not been feasible without the aids provided by Chapter 121A of the General Laws as amended and Chapter 652 of the Acts of 1960.

These conditions warrant the carrying out of the Project in accordance with the legislative mandate contained in Chapter 121A of the General Laws, and the application constitutes a "project" within the meaning of that law. The Authority has concluded that while this Project Area stands near the limits of the statutory definition "blighted open area", it is well inside these limits. The purpose of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project. The demand for decent, safe, and sanitary housing for elderly

persons at rent levels below those which the conventional operations of the real estate market produce is, as a matter of common knowledge, intense. Long waiting lists face any elderly person who seeks admission to existing public housing for the elderly projects. Construction of a substantial and handsome structure proposed for the Project Area will serve to alleviate this intense demand, and will in addition encourage the conservation and improvement of an area of substantial dwellings located adjacent to the Project Area. It will provide substantial financial return to the City of Boston. Exhibit E of the Application sets forth the amounts to be paid by agreement to the City of Boston in addition to the excise prescribed by Section 10 of Chapter 121A. This agreement provides in substance that there be paid to the City of Boston in lieu of real estate taxes in each of the forty calendar years after approval of the Project, such amount over the excise payable under General Laws, Chapter 121A, Section 10, so that the aggregate annual payment to the City shall not be less than \$25,000 for 243 dwelling units built under Phase I, and \$37,000 for 499 dwelling units built under Phase I and II, or 15% of the gross rents, whichever is the greater figure.

E. Cost of the Project. In the opinion of the Authority the cost of the project has been realistically estimated in the

Application and the Project is practicable. The budget for Phase II, or the project area which is now under consideration, contemplates a total development cost of \$5,350,000. The Project is to be built under a program authorized by Section 236 of the National Housing Act of 1949, as amended. This program, known as the interest reduction payments program of the Federal Housing Administration of the U. S. Department of Housing and Urban Development, provides for 100% mortgage financing (for a non-profit sponsor) with a below market interest rate of 1% amortized over forty years. The Applicant has filed an Application for an FHA mortgage commitment for this Phase II. Under FHA regulations, however, an irrevocable mortgage commitment will not issue until after completion of working drawings and specifications and a determination that the Project can be built within budget limits. The working capital required until an FHA irrevocable commitment has been obtained is being furnished by the Combined Jewish Philanthropies, the fund raising and planning arm of the Jewish community in Greater Boston. All funds which will be required in addition to those expected to be obtained from HUD under the 236 Program are either already available or it appears realistic to believe will become available to the Applicant at the appropriate time.

F. Consistency with Master Plan. The Project does not conflict with the Master Plan of the City of Boston. The Master Plan contemplates multi-family housing in the area in which the project site is located, and the Project is, therefore, consistent with the Master Plan.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will in fact forward the best interests of the City and will constitute a public use and benefit. The structure to be erected under the Project is an attractive and efficiently designed building, with ample light and air and appurtenant spaces, and will enhance the general appearance of the area and furnish attractive and necessary living accommodations. The location proposed is excellent for housing for elderly persons, because it presents ready access to public transportation, affords pleasant park-like surroundings, is convenient to the Cleveland Circle retail area, and is conveniently located with respect to excellent medical facilities. The Federal Housing Administration has made a favorable determination with respect to the social and economic qualification of the project site for senior citizens' housing and the processing is in the final commitment stage.

The carrying out of the Project will not in itself involve the destruction or alteration of any existing structures nor, in any way, the displacement of any persons from their present dwellings.

The Project Area does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

H. Minimum Standards. The minimum standards for financing, construction, maintenance, and improvement of the Project as set forth in Exhibit D filed with and attached to the Application are hereby adopted and imposed as rules and regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit D, the Authority hereby requires that the Applicant, prior to obtaining a building permit, 1) enter into a regulatory agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A, Section 18c and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; 2) submit to the Authority for its review and approval such plans and specifications for the project that the Authority may require, and accept such changes and modifications

thereto as the Authority may deem necessary or appropriate; and
3) adhere to such design review controls and requirements as the
Authority may in its discretion impose.

Additionally, the Authority requires the Applicant, to the
fullest extent permitted by applicable law, to give special emphasis
and consideration to applications for tenancy from elderly persons
of the immediate area, where it has been established that there is
dire need for such housing.

The carrying out of the project will not require the erection,
maintenance, and use of a garage within 500 feet of one or more
buildings occupied in whole or in part as a public or private school
having more than 50 pupils, or as a public or private hospital
having more than 25 beds, or as a Church.

The Project does not involve the construction of units which
constitute a single building under the Boston Building Code and
Zoning Law.

I. Deviations. Exhibit C filed with and attached to the
application lists the zoning deviations of Phase I and Phase II on
the total site in the aggregate. For the reasons set forth in the
Application and supporting documents, including said Exhibit C,
and in the evidence presented at the hearing, and in this report,

the Authority hereby finds that each and every one of the permissions hereinafter granted is reasonably necessary for the carrying out of the total project and may, subject to such conditions as are hereafter set forth with respect thereto respectively, be granted without substantially derogating from the intent and purposes of the applicable laws, codes, ordinances, and regulations respectively; and the Authority is also satisfied by reliable and generally accepted tests, or by experience in other cities that the other designs, construction, materials, apparatus, equipment or methods specified in the Application and supporting documents, including Exhibit C, and in the evidence presented at the hearing, will sufficiently satisfy the purposes for which it or they are to be used and the purposes of the applicable laws, codes, ordinances, or regulations respectively. The purpose of listing the following deviations by phases is to relate them to their respective sections on the overall site despite the fact that this Application is concerned with only the construction of 256 units of 236 housing on Phase II. The deviations are listed in reverse order, i.e., Phase II before Phase I, since Phase II is an entirely new project while the only changes in deviations previously allowed to Phase I are those resulting from the new and, to a large degree, arbitrary property line placed between Phase I and Phase II.

Phase II

- 1) Use - Permit deviation from section 8-7(7) to allow multi-family dwellings use and allow accessory community building in an R-.5 district.
- 2) Minimum lot area per dwelling unit - Permit deviation from sections 13-1 and 14-2 to permit additional lot area of 543 square feet per unit, after deducting two acres from the site for the first 30 units. Land per unit will be 819.5 square feet per unit.
- 3) Height - Deviate from section 16-1 to allow height up to 45 feet.
- 4) Lot Width - Lot width is substantially in excess of 200 feet requirement. But should code be interpreted to mean that a portion of lot on the Wallingford Road side which is 166 feet and that a portion of the lot on the Chestnut Hill Avenue side which is 30 feet constitute a violation of Sections 14-3 and 14-4, permit deviation as disclosed by survey submitted.
- 5) Floor area ratio - Permit deviation to allow F.A.R. of .83.
- 6) Useable open space per dwelling unit - Permit deviation from section 17-1 to allow 583.4 square feet per unit.
- 7) Minimum side yard - Permit deviation from section 19-1 to allow 6 foot side yard at southeasterly interface with lot line of Phase I. Actual side yards are in excess of 100 feet.
- 8) Minimum rear yard - Permit deviation from section 20-1 to allow 23 foot rear yard.
- 9) Parking - Permit deviation to allow parking requirement to be met with 38 parking spaces on Phase II site. Twenty-six additional spaces to be furnished on Phase I site.

Phase I

Amendments to previous deviation schedule required by approval of Phase II.

- 1) Minimum lot area per dwelling unit - Approve amendment of Authority's Chapter 121A determination of October 31, 1968 to allow adjustment in additional lot area per dwelling unit (after allocation of two acres to first 30 units) under sections 14-1 and 14-2 to 317 square feet per unit. Land area per unit overall in Phase I is 165,068/243 or 679 square feet.
- 2) Minimum side yard - Approve amendment of Authority's Chapter 121A determination of October 31, 1968 to allow minimum side yard of 6 feet on northerly wall. This side yard deviation results solely from an arbitrary lot line between Phase I and Phase II. There is, in fact, open area between said northerly wall and the site boundaries varying in depth from 180 feet to 240 feet.

- 3) Minimum rear yard - Approve amendment of Authority's Chapter 121A determination of October 31, 1968 to allow minimum rear yard of 6 feet. This results from placing of the Phase I and Phase II lot line as described above. The intent and purpose of the yard open area objectives of the code are met.

NO BUILDING OR FIRE CODE DEVIATIONS ARE GRANTED BY THIS REPORT AND DECISION.

MEMORANDUM

MARCH 30, 1972

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: REPORT AND DECISION ON CHAPTER 121A APPLICATION BY
JEWISH COMMUNITY HOUSING FOR THE ELDERLY II, INC.
LOCATED OFF OF WALLINGFORD ROAD AND CHESTNUT HILL AVENUE
IN THE BRIGHTON DISTRICT OF BOSTON.

SUMMARY: This memorandum requests that the Authority adopt a Report and Decision approving the Redevelopment Project and consenting to the undertaking and carrying out of the Project by the Jewish Community Housing for the Elderly II, Inc.

A public hearing was held by the Authority on February 24, 1972, an Application filed by the Jewish Community Housing for the Elderly II, Inc., for the authorization and approval of a redevelopment project under Chapter 121A of the Massachusetts General Laws and Chapter 652 of the Acts of 1960, as amended, and for consent to the undertaking of the Redevelopment Project by the Jewish Community Housing for the Elderly II, Inc., a Massachusetts charitable corporation.

The 121A Application has been examined and found to contain sufficient evidence in support of the proposed project to permit the Authority to proceed with the adoption of the attached Report and Decision approving the project and consenting to the undertaking and carrying out of the project by the Jewish Community Housing for the Elderly II, Inc.

As indicated by the Applicant at the hearing, and as stated in the Application, this proposal calls for the construction of a building to house 256 dwelling units for elderly persons of low and moderate income. The local FHA insuring office of the Department of Housing and Urban Development is processing a mortgage insurance commitment in the amount of approximately \$5,350,000.00. It is anticipated that construction on this project can be commenced this summer.

It should be noted that the Report and Decision requires the Jewish Community Housing for the Elderly II, Inc., to the fullest extent permitted by applicable law, to give special emphasis and consideration to applications for tenancy from elderly persons of the immediate area. Also of note is the fact that no building or fire code deviations have been requested and none have been granted.

It is therefore recommended that, pursuant to Chapter 121A of the General Laws, the Authority adopt the Report and Decision approving the project and consenting to the undertaking and carrying out of the project by the Jewish Community Housing for the Elderly II, Inc. An appropriate Vote follows.

VOTED: That the document presented at this meeting entitled "Report and Decision on Application for Approval of the Redevelopment Project located off Wallingford Road in Brighton by the Jewish Community Housing for the Elderly II, Inc." be and hereby is approved and adopted.